

JOURNAL OF THE SENATE

NINETIETH SESSION

THIRTY-EIGHTH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Friday, March 13, 2015

The Senate convened at 9:00 a.m., pursuant to adjournment, the President presiding.

The prayer was offered by the Chaplain, Rev. Paul Bly, followed by the Pledge of Allegiance led by Senate page Calla Harper.

Roll Call: All members present except Sen. Lederman who was excused.

APPROVAL OF THE JOURNAL

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Secretary of the Senate has had under consideration the Senate Journal of the thirty-seventh day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Corey Brown, Chair

Which motion prevailed.

SIGNING OF BILLS

The President publicly read the title to

HB 1231: FOR AN ACT ENTITLED, An Act to authorize the forfeiture of any financial benefit or valuables gained from pimping.

HB 1219: FOR AN ACT ENTITLED, An Act to permit entities to voluntarily disclose ownership on filings with the Office of the Secretary of State and to establish a fee therefor.

And signed the same in the presence of the Senate.

Sen. Soholt moved that the Senate do now recess until 10:30 a.m., which motion prevailed and at 9:05 a.m., the Senate recessed.

RECESS

The Senate reconvened at 10:55 a.m., the President presiding.

COMMUNICATIONS AND PETITIONS

March 12, 2015

Mr. President and Members of the Senate:

I have the honor to inform you that on March 12, 2015, I approved Senate Bills 17, 25, 26, 27, 43, 48, 50, 58, 60, 73, 82, 86, 98, 101, 108, 110, 119, 124, 126, 137, 153, 161, 168, 172, 173, and 182, and the same have been deposited in the office of the Secretary of State.

Respectfully submitted,
Dennis Daugaard
Governor

REPORT OF STANDING COMMITTEE

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared SB 53, 54, 152, 174, 179, and 190 and finds the same correctly enrolled.

Respectfully submitted,
Corey Brown, Chair

1 Unless there is an objection, the President waives the reading of the report of the
2 Conference Committee.

3 **REPORT OF CONFERENCE COMMITTEE**

4 cc109b

5 MR. PRESIDENT:

6 The Conference Committee respectfully reports that it has considered SB 109 and the
7 amendments thereto made by the House, and the disagreement of the two houses thereon, and
8 recommends that SB 109 be amended as follows:

9 109mb

10 On page 2, line 4, of the House engrossed bill, delete "two dollars (\$2)," and insert "two
11 hundred thousand dollars (\$200,000),".

12 On page 2, line 6, delete everything after "." .

13 On page 2, delete line 7.

14 On page 2, after line 11, insert:

15 "Section 7. Whereas, this Act is necessary for the support of the state government and its
16 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
17 full force and effect from and after its passage and approval."

18 109mtb

19 On page 1, line 2, of the House engrossed bill, delete "and".

20 On page 1, line 3, after "therefor" insert ", and to declare an emergency".

21 Respectfully submitted,
22 Mike Stevens
23 House Committee Chair

Respectfully submitted,
Larry Tidemann
Senate Committee Chair

MESSAGES FROM THE HOUSE

MR. PRESIDENT:

I have the honor to inform your honorable body that the House has adopted the report of the Joint-Select Committee for the purpose of arranging legislative days for the Ninety-first Legislative Session.

Also MR. PRESIDENT:

I have the honor to inform your honorable body that the House has adopted the report of the Joint-Select Committee relative to the Joint Rules for the two houses for the Ninety-first Legislative Session.

Also MR. PRESIDENT:

I have the honor to inform your honorable body that the House has adopted the reports of the Conference Committees on HB 1190, 1140, 1147, 1192, and 1191.

Also MR. PRESIDENT:

I have the honor to inform your honorable body that the House has adopted the reports of the Conference Committees on SB 190, 174, and 109.

Also MR. PRESIDENT:

I have the honor to inform your honorable body that the House has failed to adopt the report of the Conference Committee on SB 95, 106, and 181 and no new committee was appointed.

Respectfully,
Arlene Kvislen, Chief Clerk

MOTIONS AND RESOLUTIONS

Sen. Rave moved that SB 67 be placed to follow SB 69 on today's calendar.

Which motion prevailed.

1 **CONSIDERATION OF REPORTS OF CONFERENCE COMMITTEES**

2 Sen. Tidemann moved that the report of the Conference Committee on HB 1228 as found
3 on page 692 of the Senate Journal be adopted.

4 The question being on Sen. Tidemann's motion that the report of the Conference
5 Committee on HB 1228 be adopted.

6 And the roll being called:

7 Yeas 19, Nays 15, Excused 1, Absent 0

8 Yeas:

9 Brown; Buhl O'Donnell; Cammack; Curd; Frerichs; Haverly; Heineman (Phyllis); Hunhoff
10 (Bernie); Monroe; Otten (Ernie); Peters; Rave; Rusch; Soholt; Solano; Tidemann; Tieszen;
11 Vehle; White

12 Nays:

13 Bradford; Ewing; Greenfield (Brock); Haggar (Jenna); Heinert; Holien; Jensen (Phil); Novstrup
14 (David); Olson; Omdahl; Parsley; Peterson (Jim); Rampelberg; Sutton; Van Gerpen

15 Excused:

16 Lederman

17 So the motion having received an affirmative vote of a majority of the members-elect, the
18 President declared the motion carried and the report was adopted.

19 Sen. Tidemann moved that the report of the Conference Committee on SB 109 as found
20 on page 689 of the Senate Journal be adopted.

21 The question being on Sen. Tidemann's motion that the report of the Conference
22 Committee on SB 109 be adopted.

23 And the roll being called:

24 Yeas 31, Nays 3, Excused 1, Absent 0

25 Yeas:

26 Bradford; Brown; Cammack; Curd; Ewing; Frerichs; Greenfield (Brock); Haggar (Jenna);
27 Haverly; Heineman (Phyllis); Holien; Hunhoff (Bernie); Jensen (Phil); Monroe; Novstrup
28 (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson (Jim); Rampelberg; Rave;
29 Rusch; Soholt; Solano; Tidemann; Tieszen; Van Gerpen; Vehle; White

1 Nays:
2 Buhl O'Donnell; Heinert; Sutton

3 Excused:
4 Lederman

5 So the motion having received an affirmative vote of a two-thirds majority of the members-
6 elect, the President declared the motion carried and the report was adopted.

7 Sen. Rave moved that the Senate do now recess until 12:30 p.m., which motion prevailed
8 and at 11:40 a.m., the Senate recessed.

9 **RECESS**

10 The Senate reconvened at 12:55 p.m., the President presiding.

11 There being no objection, the Senate reverted to Order of Business No. 4.

12 **COMMUNICATIONS AND PETITIONS**

13 March 13, 2015

14 Mr. President and Members of the Senate:

15 I have the honor to inform you that on March 13, 2015 ,I approved Senate Bills 13, 33, 51,
16 68, 70, 97, 125, 131, 178, 186, and 191, and the same have been deposited in the office of the
17 Secretary of State.

18 Respectfully submitted,
19 Dennis Daugaard
20 Governor

21 **REPORTS OF STANDING COMMITTEES**

22 MR. PRESIDENT:

23 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing
24 and Enrolling has carefully compared SB 109 and finds the same correctly enrolled.

1 Also MR. PRESIDENT:

2 The Committee on Legislative Procedure respectfully reports that SB 2, 39, 52, 64, 65, 66,
3 99, 100, 120, 132, 134, 154, and 180 were delivered to his Excellency, the Governor, for his
4 approval at 12:10 p.m., March 13, 2015.

5 Respectfully submitted,
6 Corey Brown, Chair

7 Unless there is an objection, the President waives the reading of the reports of the
8 Conference Committees.

9 **REPORTS OF CONFERENCE COMMITTEES**

10 ccl1a

11 MR. PRESIDENT:

12 The Conference Committee respectfully reports that it has considered SB 1 and the
13 amendments thereto made by the House, and the disagreement of the two houses thereon, and
14 recommends that SB 1 be amended as follows:

15 1fah

16 On page 10, of the House engrossed bill, delete lines 9 to 13, inclusive, and insert: "bridge
17 reserve fund." Any increased tax levy imposed pursuant to this section is exempt from the
18 provisions of chapter 10-13, if the county establishes the amount of revenue payable from taxes
19 on real property pursuant to section 21 of this Act. However, each year thereafter, the county
20 may increase the amount of revenue payable from property taxes by applying the growth and
21 the index factor pursuant to the provisions of § 10-13-35."

22 On page 10, between lines 13 and 14, insert:

23 "Section 21. The governing body of the county may, by resolution, impose the increased
24 tax levy provided in § 10-12-13 with an affirmative two-thirds vote of the governing body on
25 or before July fifteenth. The action of the governing body to authorize an increased tax levy
26 shall be published within ten days of the action and shall be published at least twice in each
27 legal newspaper designated by the county. The action to authorize an increased tax levy is
28 subject to the referendum process in accordance with chapter 7-18A."

29 On page 10, line 17, delete "22" and insert "23".

1 1fas

2 On page 4, line 4, of the House engrossed bill, delete ":" and insert "\$.28 per gallon."

3 On page 4, delete lines 5 to 7, inclusive.

4 On page 4, line 10, delete ":" and insert "\$.14 per gallon."

5 On page 4, delete lines 11 to 13, inclusive.

6 On page 12, after line 20, insert:

7 "Section 30. Whereas, this Act is necessary for the support of the state government and its
8 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
9 full force and effect on and after April 1, 2015."

10 1ftb

11 On page 1, line 2, of the House engrossed bill, after "Dakota" delete "and" and insert ",".

12 On page 1, line 3, after "highways" insert ", and to declare an emergency".

13	Respectfully submitted,	Respectfully submitted,
14	Steve Westra	Mike Vehle
15	House Committee Chair	Senate Committee Chair

16 cc55a

17 Also MR. PRESIDENT:

18 The Conference Committee respectfully reports that it has considered SB 55 and the
19 amendments thereto made by the House, and the disagreement of the two houses thereon, and
20 recommends that SB 55 be amended as follows:

21 55mf

22 On page 9, line 19, of the House Appropriations Committee engrossed bill, delete
23 "\$302,549" and insert "\$535,446".

24 55mg

25 On page 4, line 15, of the House Appropriations Committee engrossed bill, delete
26 "\$22,292,245" and insert "\$23,292,245".

1 55nk

2 On page 2, line 18, of the House Appropriations Committee engrossed bill, delete
3 "\$298,092,553" and insert "\$295,871,635".

4 On page 2, line 19, delete "\$463,192,098" and insert "\$460,427,161".

5 On page 3, line 1, delete "\$32,757,050" and insert "\$28,957,050".

6 On page 3, line 2, delete "\$38,541,928" and insert "\$36,087,897".

7 Respectfully submitted,
8 Brian Gosch
9 House Committee Chair

Respectfully submitted,
Tim Rave
Senate Committee Chair

10 cc69a

11 Also MR. PRESIDENT:

12 The Conference Committee respectfully reports that it has considered SB 69 and the
13 amendments thereto made by the House, and the disagreement of the two houses thereon, and
14 recommends that SB 69 be amended as follows:

15 69fx

16 On page 1, line 10, of the House engrossed bill, delete "third" and insert "first".

17 On page 1, line 12, delete "first".

18 On page 1, line 13, delete "received".

19 On page 2, line 12, delete "third" and insert "first".

20 On page 2, line 14, delete "received".

21 On page 2, line 24, delete "third" and insert "first".

22 On page 5, line 1, delete "pursuant to subdivision 121-1-3(10)".

23 On page 5, line 2, delete everything before "candidate" and insert "nominating an
24 independent ~~or a nonpolitical~~".

25 On page 5, line 3, after "." insert "The provisions of this section do not prohibit a person
26 registered with a recognized political party from signing a petition nominating a nonpolitical
27 candidate for office.".

1 On page 5, line 15, after "number of" insert "registered".

2 On page 6, line 8, delete "third" and insert "first".

3 On page 6, line 11, delete "received".

4 On page 6, line 15, delete "third" and insert "first".

5 On page 6, line 20, delete "third" and insert "first".

6 On page 7, line 8, delete "third" and insert "first".

7 On page 8, line 3, delete "third" and insert "first".

8 On page 8, line 5, delete "received".

9 On page 8, line 10, delete "third" and insert "first".

10 On page 8, line 22, delete "received".

11 On page 9, line 12, delete "received".

12 On page 10, line 7, delete "first".

13 On page 10, line 8, delete "received".

14 On page 11, line 4, delete "received".

15 On page 11, line 18, after "affiliation" insert "and voters registered as other".

16 On page 13, between lines 13 and 14, insert:

17 ""Independent candidate," any registered voter who is not registered as a member of a
18 recognized political party and who is a candidate for office;"

19 On page 13, after line 15, insert:

20 "Section 23. That § 12-8-6 be amended to read as follows:

21 12-8-6. ~~Nominations by~~ A party committee to may fill vacancies occurring in nominations
22 a vacancy created by a nomination made in a primary elections and certificates of election. The
23 party committee shall certify the nomination to be filed with the secretary of state and those to
24 be filed with the or the county auditor shall be filed not later than the second Tuesday in August
25 at five p.m. or mailed by registered mail by that date and time prior to the election."

69fw

1

2 On page 3, line 11, of the House engrossed bill delete everything after "sheet." .

3 On page 3, delete line 12.

4 On page 3, line 13, delete "general election, the" and insert "The".

5 On page 3, line 16, delete everything after "." .

6 On page 3, delete lines 17 to 21, inclusive.

7 On page 3, line 23, delete everything after "§ 12-6-7" .

8 On page 3, line 24, delete everything before "a nominating" .

9 On page 4, line 4, delete everything after "less." .

10 On page 4, delete lines 5 to 7, inclusive.

11 On page 4, line 8, delete everything before "The" .

12 On page 5, line 15, delete everything after "other." .

13 On page 5, line 16, delete everything before "at" .

14 On page 13, after line 15, insert:

15 "Section 23. That § 12-5-1.4 be amended to read as follows:

16 12-5-1.4. If a political party qualifies for the primary ballot under § 12-5-1, each candidate
17 intending to participate in a primary election shall file a nominating petition pursuant to § 12-6-
18 4. In each primary election following the qualification of a political party and prior to the next
19 gubernatorial election, each:

20 (1) State and federal candidate for that party shall file a petition bearing signatures of at
21 ~~least not less than~~ two hundred fifty registered voters in that party or not less than one
22 percent of the registered voters having no party affiliation including any registered
23 voters of the new political party and voters registered as other in the state at the last
24 general election; and

(2) Legislative and county candidate for that party shall file a petition bearing signatures of ~~at least five registered voters in that party~~ not less than fifty voters in that party or not less than one percent of the registered voters having no party affiliation including any registered voters of the new political party and voters registered as other in that county or district.".

6 Respectfully submitted,
7 G. Mark Mickelson
8 House Committee Chair

Respectfully submitted,
Ernie Otten
Senate Committee Chair

9 MESSAGE FROM THE HOUSE

10 MR. PRESIDENT:

11 I have the honor to inform your honorable body that the House has adopted the reports of
12 the Conference Committees on SB 55, 69, 91, and 92.

13 Respectfully,
14 Arlene Kvislen, Chief Clerk

15 MOTIONS AND RESOLUTIONS

16 Sen. Rave moved that SB 67 be placed to follow SB 1 on today's calendar.

17 Which motion prevailed.

18 **CONSIDERATION OF REPORTS OF CONFERENCE COMMITTEES**

19 Sen. Otten (Ernie) moved that the report of the Conference Committee on SB 69 as found
20 on page 721 of the Senate Journal be adopted.

21 The question being on Sen. Otten (Ernie)'s motion that the report of the Conference
22 Committee on SB 69 be adopted.

23 And the roll being called:

24 Yeas 26, Nays 7, Excused 2, Absent 0

25 Yeas:

26 Bradford; Brown; Cammack; Curd; Ewing; Greenfield (Brock); Haggard (Jenna); Haverly;

27 Heineman (Phyllis); Holien; Jensen (Phil); Monroe; Olson; Omdahl; Otten (Ernie); Peters;

28 Rampelberg; Rave; Rusch; Soholt; Solano; Tidemann; Tieszen; Van Gerpen; Vehle; White

1 Nays:

2 Buhl O'Donnell; Frerichs; Heinert; Hunhoff (Bernie); Parsley; Peterson (Jim); Sutton

3 Excused:

4 Lederman; Novstrup (David)

5 So the motion having received an affirmative vote of a majority of the members-elect, the
6 President declared the motion carried and the report was adopted.

7 Sen. Rave moved that the report of the Conference Committee on SB 55 as found on page
8 720 of the Senate Journal be adopted.

9 The question being on Sen. Rave's motion that the report of the Conference Committee on
10 SB 55 be adopted.

11 And the roll being called:

12 Yeas 34, Nays 0, Excused 1, Absent 0

13 Yeas:

14 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Frerichs; Greenfield (Brock);
15 Haggart (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie); Jensen (Phil);
16 Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson (Jim);
17 Rampelberg; Rave; Rusch; Sohlt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle;
18 White

19 Excused:

20 Lederman

21 So the motion having received an affirmative vote of a majority of the members-elect, the
22 President declared the motion carried and the report was adopted.

23 Sen. Rave moved that the Senate do now recess until 1:45 p.m., which motion prevailed
24 and at 1:13 p.m., the Senate recessed.

25 **RECESS**

26 The Senate reconvened at 1:39 p.m., the President presiding.

27 Sen. Tieszen moved that the Senate do now recess until 2:30 p.m., which motion prevailed
28 and at 1:40 p.m., the Senate recessed.

29 **RECESS**

30 The Senate reconvened at 2:32 p.m., the President presiding.

1 Sen. Rave moved that the Senate do now recess until 2:45 p.m., which motion prevailed
2 and at 2:33 p.m., the Senate recessed.

3 **RECESS**

4 The Senate reconvened at 2:55 p.m., the President presiding.

5 Sen. Tieszen moved that the Senate do now recess until 3:15 p.m., which motion prevailed
6 and at 2:57 p.m., the Senate recessed.

7 **RECESS**

8 The Senate reconvened at 3:19 p.m., the President presiding.

9 Sen. Tieszen moved that the Senate do now recess until 3:30 p.m., which motion prevailed
10 and at 3:20 p.m., the Senate recessed.

11 **RECESS**

12 The Senate reconvened at 3:30 p.m., the President presiding.

13 Sen. Rave moved that the Senate do now recess until 3:40 p.m., which motion prevailed
14 and at 3:32 p.m., the Senate recessed.

15 **RECESS**

16 The Senate reconvened at 4:02 p.m., the President presiding.

17 **SIGNING OF BILLS**

18 The President publicly read the title to

19 SB 53: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the state
20 aid to general education formula and to revise the property tax levies for the general fund of
21 school districts.

22 SB 54: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the state
23 aid to special education formula and to revise the property tax levies for special education.

24 SB 55: FOR AN ACT ENTITLED, An Act to revise the General Appropriations Act for
25 fiscal year 2015.

1 SB 69: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding elections
2 and election petitions.

3 SB 91: FOR AN ACT ENTITLED, An Act to make an appropriation to support the South
4 Dakota need-based grant program and to declare an emergency.

5 SB 92: FOR AN ACT ENTITLED, An Act to make an appropriation to support the South
6 Dakota critical teaching needs scholarship program and to declare an emergency.

7 SB 109: FOR AN ACT ENTITLED, An Act to establish a grant program for adult
8 community residential services designed to reduce the risk of recidivism, to provide a report to
9 the Legislature, to make an appropriation therefor, and to declare an emergency.

10 SB 152: FOR AN ACT ENTITLED, An Act to make an appropriation for certain costs
11 related to mountain pine beetle suppression and to declare an emergency.

12 SB 174: FOR AN ACT ENTITLED, An Act to make an appropriation for the Ross Shaft
13 at the Sanford Underground Research Facility and to declare an emergency.

14 SB 179: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to record
15 search fees in the Unified Judicial System.

16 SB 190: FOR AN ACT ENTITLED, An Act to clarify health coverage for applied behavior
17 analysis, and to establish the Applied Behavior Analysis Provider Workgroup.

18 HB 1140: FOR AN ACT ENTITLED, An Act to increase the crimes and lookback period
19 to enhance the penalty for violating a protection order.

20 HB 1147: FOR AN ACT ENTITLED, An Act to increase the amounts of the annual
21 awards given to recipients of the South Dakota opportunity scholarship.

22 HB 1190: FOR AN ACT ENTITLED, An Act to make an appropriation for community-
23 based provider workforce improvement and to declare an emergency.

24 HB 1191: FOR AN ACT ENTITLED, An Act to make an appropriation for the Jobs for
25 America's Graduates program and to declare an emergency.

26 HB 1192: FOR AN ACT ENTITLED, An Act to make an appropriation for the protection
27 and enhancement of wildlife habitat and to declare an emergency.

28 And signed the same in the presence of the Senate.

29 There being no objection, the Senate reverted to Order of Business No. 5.

REPORT OF STANDING COMMITTEE

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared SB 55, 69, 91, and 92 and finds the same correctly enrolled.

Respectfully submitted,
Corey Brown, Chair

MESSAGE FROM THE HOUSE

MR. PRESIDENT:

I have the honor to inform your honorable body that the House has adopted the report of the Conference Committee on HB 1110.

Respectfully,
Arlene Kvislen, Chief Clerk

CONSIDERATION OF REPORT OF CONFERENCE COMMITTEE

Sen. Rave moved that the Senate do concur in House amendments to SB 67.

The question being on Sen. Rave's motion that the Senate do concur in House amendments to SB 67.

And the roll being called:

Yeas 28, Nays 0, Excused 7, Absent 0

Yeas:

Bradford; Brown; Cammack; Curd; Ewing; Frerichs; Greenfield (Brock); Hagggar (Jenna); Heinert; Holien; Hunhoff (Bernie); Jensen (Phil); Monroe; Novstrup (David); Olson; Otten (Ernie); Peterson (Jim); Rampelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; White

Excused:

Buhl O'Donnell; Haverly; Heineman (Phyllis); Lederman; Omdahl; Parsley; Peters

1 So the motion having received an affirmative vote of a majority of the members-elect, the
2 President declared the motion carried and the amendments were concurred in.

3 Sen. Rave moved that when we adjourn today, we adjourn to convene at 10:00 a.m. on
4 Monday, March 30, the 39th legislative day.

5 Which motion prevailed.

6 **CONSIDERATION OF REPORT OF CONFERENCE COMMITTEE**

7 Sen. Vehle moved that the report of the Conference Committee on SB 1 as found on page
8 719 of the Senate Journal be adopted.

9 The question being on Sen. Vehle's motion that the report of the Conference Committee
10 on SB 1 be adopted.

11 And the roll being called:

12 Yeas 25, Nays 9, Excused 1, Absent 0

13 Yeas:

14 Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Frerichs; Haverly; Heineman (Phyllis);
15 Holien; Hunhoff (Bernie); Novstrup (David); Omdahl; Otten (Ernie); Parsley; Peters;
16 Rampelberg; Rave; Rusch; Soholt; Solano; Tidemann; Tieszen; Van Gerpen; Vehle; White

17 Nays:

18 Bradford; Greenfield (Brock); Haggard (Jenna); Heinert; Jensen (Phil); Monroe; Olson; Peterson
19 (Jim); Sutton

20 Excused:

21 Lederman

22 So the motion having received an affirmative vote of a two-thirds majority of the members-
23 elect, the President declared the motion carried and the report was adopted.

24 Sen. Rave moved that the Senate do now recess until 6:00 p.m., which motion prevailed
25 and at 5:00 p.m., the Senate recessed.

26 **RECESS**

27 The Senate reconvened at 6:18 p.m., the President presiding.

1 Sen. Soholt moved that the Senate do now recess until 9:00 p.m., which motion prevailed
2 and at 6:20 p.m., the Senate recessed.

3 **RECESS**

4 The Senate reconvened at 9:10 p.m., the President presiding.

5 Sen. Soholt moved that the Senate do now recess until 10:00 p.m., which motion prevailed
6 and at 9:12 p.m., the Senate recessed.

7 **RECESS**

8 The Senate reconvened at 10:30 p.m., the President presiding.

9 **SIGNING OF BILLS**

10 The President publicly read the title to

11 SB 1: FOR AN ACT ENTITLED, An Act to revise certain taxes and fees to fund
12 improvements to public roads and bridges in South Dakota, to increase the maximum speed
13 limit on interstate highways, and to declare an emergency.

14 SB 67: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding
15 challenges to certain election petition signatures.

16 HB 1110: FOR AN ACT ENTITLED, An Act to increase the number of judges in the
17 Second and Seventh Judicial Circuits.

18 HB 1228: FOR AN ACT ENTITLED, An Act to establish an obligation recovery center.

19 And signed the same in the presence of the Senate.

20 There being no objection, the Senate reverted to Order of Business No. 4.

COMMUNICATIONS AND PETITIONS

March 13, 2015

Mr. President and Members of the Senate:

I have the honor to inform you that on March 13, 2015, I approved Senate Bills 39, 52, 64, 65, 66, 99, 120, 132, 134, 154, and 180, and the same have been deposited in the office of the Secretary of State.

Respectfully submitted,
Dennis Daugaard
Governor

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared SB 67 and SB 1 and finds the same correctly enrolled.

Respectfully submitted,
Corey Brown, Chair

Also MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that SB 53, 54, 55, 69, 91, 92, 109, 152, 174, 179, and 190 were delivered to his Excellency, the Governor, for his approval at 6:45 p.m., March 13, 2015.

Respectfully submitted,
Corey Brown, Chair

MESSAGES FROM THE HOUSE

MR. PRESIDENT:

I have the honor to transmit herewith HB 1208 which has passed the House and your favorable consideration is respectfully requested.

1 Also MR. PRESIDENT:

2 I have the honor to inform your honorable body that the House has adopted the report of
3 the Conference Committee on SB 1.

4 Respectfully,
5 Arlene Kvislen, Chief Clerk

6 **MOTIONS AND RESOLUTIONS**

7 SENATE PAGE RESOLUTION 5 Introduced by: Senators Bradford; Brown; Buhl
8 O'Donnell; Cammack; Curd; Ewing; Frerichs; Greenfield, Brock; Hagger, Jenna; Haverly;
9 Heineman, Phyllis; Heinert; Holien; Hunhoff, Bernie; Jensen, Phil; Lederman; Monroe;
10 Novstrup, David; Olson; Omdahl; Otten, Ernie; Parsley; Peters; Peterson, Jim; Rampelberg;
11 Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; White

12 A RESOLUTION, Expressing the appreciation and gratitude of the Senate of the Ninetieth
13 Legislature of the State of South Dakota to Calla Harper, Chelsey Langbehn, Kiera Leddy,
14 Lydia Peterson, Tristan Roy, Bailee Ward, Bailey Zerfoss

15 WHEREAS, the above named served loyally as pages for the Senate of the Ninetieth
16 Legislative Session; and

17 WHEREAS, the members of the Ninetieth Senate express their most sincere appreciation
18 to these young people for their service to the state; and

19 WHEREAS, the members extend to these young people their wishes for every success in
20 life:

21 NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Ninetieth Legislature of
22 the State of South Dakota, that a personal copy of this resolution be duly certified and furnished
23 to each page on this last day of service.

24 Sen. Heineman moved that Senate Page Resolution 5 be adopted.

25 The question being on Sen. Heineman's motion that Senate Page Resolution 5 be adopted.

26 And the roll being called:

27 Yeas 31, Nays 0, Excused 4, Absent 0

28 Yeas:

29 Bradford; Brown; Buhl O'Donnell; Cammack; Ewing; Frerichs; Greenfield (Brock); Haverly;
30 Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie); Jensen (Phil); Monroe; Novstrup
31 (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Rampelberg; Rave; Rusch; Soholt;
32 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; White

1 Excused:
2 Curd; Hagggar (Jenna); Lederman; Peterson (Jim)

3 So the motion having received an affirmative vote of a majority of the members-elect, the
4 President declared the motion carried.

5 **FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

6 HB 1208: FOR AN ACT ENTITLED, An Act to appropriate money for the ordinary
7 expenses of the legislative, judicial, and executive departments of the state, the expenses of state
8 institutions, interest on the public debt, and for common schools.

9 Was read the first time.

10 **SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

11 HB 1208: FOR AN ACT ENTITLED, An Act to appropriate money for the ordinary
12 expenses of the legislative, judicial, and executive departments of the state, the expenses of state
13 institutions, interest on the public debt, and for common schools.

14 Was read the second time.

15 The question being "Shall HB 1208 pass as amended?"

16 And the roll being called:

17 Yeas 30, Nays 2, Excused 3, Absent 0

18 Yeas:
19 Bradford; Brown; Buhl O'Donnell; Cammack; Ewing; Frerichs; Greenfield (Brock); Hagggar
20 (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Monroe; Novstrup (David); Olson;
21 Omdahl; Otten (Ernie); Parsley; Peters; Rempelberg; Rave; Rusch; Soholt; Solano; Sutton;
22 Tidemann; Tieszen; Van Gerpen; Vehle; White

23 Nays:
24 Hunhoff (Bernie); Jensen (Phil)

25 Excused:
26 Curd; Lederman; Peterson (Jim)

27 So the bill having received an affirmative vote of a majority of the members-elect, the
28 President declared the bill passed and the title was agreed to.

1 There being no objection, the Senate reverted to Order of Business No. 5.

2 REPORTS OF STANDING COMMITTEES

3 MR. PRESIDENT:

4 The Committee on Legislative Procedure respectfully reports that SB 1 and 67 were
5 delivered to his Excellency, the Governor, for his approval at 10:45 p.m., March 13, 2015.

6 Respectfully submitted,
7 Corey Brown, Chair

8 **SIGNING OF BILLS**

9 The President publicly read the title to

10 HB 1208: FOR AN ACT ENTITLED, An Act to appropriate money for the ordinary
11 expenses of the legislative, judicial, and executive departments of the state, the expenses of state
12 institutions, interest on the public debt, and for common schools.

13 And signed the same in the presence of the Senate.

14 Sen. Frerichs moved that the Senate do now adjourn, which motion prevailed and at
15 11:24 p.m. the Senate adjourned.

16 Kay Johnson, Secretary